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7

8 Attorneys for Defendants,  
COUNTY OF MONTEREY; SHERIFF STEVE BERNAL; JAMES BASS;  
9 JOHNATHAN THORNBURG; RAY TONGOL, and JESUS TEJEDA

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 San Jose Division  
13

14 ESTATE OF RAFAEL RAMIREZ LARA,  
deceased, by and through PATRICIA  
15 RAMIREZ; PATRICIA RAMIREZ;  
RAFAEL RAMIREZ; and JENNIFER  
16 RAMIREZ,

Plaintiffs,

17 vs.

18 COUNTY OF MONTEREY; SHERIFF  
STEVE BERNAL, in his individual and  
19 official capacity; JAMES BASS, in his  
individual and official capacity;  
20 JOHNATHAN THORNBURG, in his  
individual and official capacity; RAY  
21 TONGOL, in his individual and official  
capacity; J. TEJEDA, in his individual and  
22 official capacity; WELLPATH; KIP  
23 HALLMAN; JORGE DOMINICIS;  
THOMAS PANGBURN; PAUL  
24 FRANCISCO, and DOES 1 and 2,

25 Defendants.  
26

CASE NO. 21-cv-02409-PJH

**JOINT STIPULATION AND REQUEST  
TO CONTINUE SETTLEMENT  
CONFERENCE; [PROPOSED] ORDER**

Settlement Conf.: March 28, 2022  
Time: 1:00 p.m.  
Judge: Hon. Donna M. Ryu

27 All parties, by and through their respective counsel of record, do hereby jointly stipulate  
28 and request that the Court continue the Settlement Conference currently set for March 28, 2022,

1 with Magistrate Judge Donna M. Ryu. In support of this request and stipulation, the parties set  
2 forth:

- 3 1) On July 15, 2021, the Court referred this case to Judge Donna M. Ryu for  
4 settlement conference.
- 5 2) On October 12, 2021 and January 18, 2022, following communications between  
6 all counsel and Judge Ryu, the settlement conference was rescheduled. (Dkts. 39,  
7 65.) The settlement conference is currently scheduled for March 28, 2022.
- 8 3) The parties continue to be engaged in discovery and have requested an extension  
9 of the current discovery and other case deadlines. Dkt. 74. The parties have jointly  
10 proposed a new fact discovery cut-off of July 29, 2022. Dkt. 76 at 9. The Court  
11 has set a case management conference for March 17, 2022. Dkt. 75.
- 12 4) The parties believe that a number of depositions and further exchange of written  
13 discovery are needed in order to properly evaluate the case and have a productive  
14 and meaningful settlement conference.
- 15 5) At this point, the parties agree that it would not be productive to hold the  
16 settlement conference on the currently scheduled date of March 28, 2022.
- 17 6) As such, the parties respectfully request that the Court continue the settlement  
18 conference from March 28, 2022 to a date in July or August 2022 or otherwise at  
19 the Court's convenience, so that additional discovery and case evaluation can be  
20 completed.
- 21 7) This request is made in good faith and the parties believe that the additional  
22 discovery will result in a higher probability of a settlement being reached in the  
23 case.
- 24 8) The case has been assigned a trial date of June 27, 2023. (Dkt. 53)

25  
26 **WHEREFORE**, based on the above circumstances, the parties jointly stipulate and  
27 request that the Court vacate the March 28, 2022 settlement conference and continue the  
28 settlement conference to a date in July or August 2022 or otherwise at the Court's convenience.

1                   **IT IS RESPECTFULLY REQUESTED AND SO STIPULATED.**

2  
3           Dated: March 16, 2022

LESLIE J. GIRARD  
County Counsel

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5                   By: /s/ Ellen S. Lyons  
6                   ELLEN S. LYONS, Deputy County Counsel  
7                   Attorneys for Defendants  
8                   COUNTY OF MONTEREY; SHERIFF STEVE  
9                   BERNAL; JAMES BASS; JOHNATHAN  
10                  THORNBURG; RAY TONGOL, and JESUS  
11                  TEJEDA

12  
13          Dated: March 16, 2022

RIFKIN LAW OFFICE

14                   By: /s/ Lori Rifkin  
15                   LORI RIFKIN  
16                   Attorneys for Plaintiffs  
17                   ESTATE OF RAFAEL RAMIREZ LARA,  
18                   deceased, by and through PATRICIA  
19                   RAMIREZ; PATRICIA RAMIREZ;  
20                   RAFAEL RAMIREZ; and JENNIFER  
21                   RAMIREZ

22  
23          Dated: March 16, 2022

BERTLING LAW GROUP

24                   By: /s/ Jemma Parker Saunders  
25                   PETER G. BERTLING  
26                   JEMMA PARKER SAUNDERS  
27                   Attorneys for Defendant WELLPATH,  
28                   KIP HALLMAN, JORGE DOMINICS,  
                    THOMAS PANGBURN, PAUL FRANCISCO,  
                    RAYMOND HERR and CHRISTINA KAUPP

29           **I hereby attest that I have on file approval for any signatures indicated by a “conformed”**  
30           **signature (/s/) within this e-filed document.**

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**[PROPOSED] ORDER**

The Court, having considered the parties' Joint Stipulation and Request to Continue Settlement Conference, and finding good cause appearing therefore, hereby GRANTS the Stipulation. The March 28, 2022, Settlement Conference is continued to \_\_\_\_\_, 2022 at \_\_\_\_\_.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_, 2022.

\_\_\_\_\_  
DONNA M. RYU  
United States Magistrate Judge